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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,173	11/12/2003	Amit Shachak	1005-4-01 USP	6121

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EXAMINER

FIGUEROA, MARISOL

ART UNIT PAPER NUMBER

2681

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/706,173

Applicant(s)

SHACHAK, AMIT

Examiner

Marisol Figueroa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-4, 10-14, and 20** are rejected under 35 U.S.C. 102(e) as being anticipated by **Benco et al.** U.S. Publication No. 2005/0085225 A1.

Regarding claim 1, Benco discloses a method of updating database records (network subscriber database) associated with configuration data stored in at least one mobile device (mobile configuration data), the method comprising:

determining if the configuration data has been modified (P.0024, lines 4-11 – P.0025; lines 1-4; the changes made to the mobile configuration data cause the update of the mobile configuration data in the network) and transmitting the configuration data to a server system for updating respective records of a database (P.0026; the new configuration data is send, i.e. transmitted to the network subscriber database); in response to the configuration data being modified in the mobile device (P.0026; P.0029, lines 1-9).

Regarding claim 2, Benco discloses the method of claim 1, further comprising: transmitting the configuration data to the server system in real time (P.0048, lines 1-6).

**Regarding claim 3**, Benco discloses the method of claim 1, further comprising: transmitting the configuration data to the server system within a predetermined time period (P.0049, lines 5-6), if it is determined that the configuration data is modified in the mobile device (P.0044).

**Regarding claim 4**, Benco discloses the method of claim 1, further comprising: updating at least one record of the database based on information contained in the configuration data (P.0043, lines 6-15 – P.0044).

**Regarding claim 10**, Benco discloses the method of claim 1, wherein the configuration data comprises at least one of an access point name (APN), a web gateway internet protocol (IP) address, a short messaging service center (SMSC), system identification code (SID), system dependent information, and communication environment dependent information (P.0043, lines 10-13; the configuration data may comprise information about systems).

**Regarding claim 11**, Benco discloses a system for updating database records associated with configuration data stored in at least one mobile device, the system comprising: a comparator for determining if the configuration data has been modified (P.0024, lines 4-11 – P.0025; lines 1-4; the changes made to the mobile configuration data cause the update of the mobile configuration data in the network); and a transmitter for transmitting the configuration data to a server system for updating respective records of a database (P.0026; the new configuration data is send, i.e. transmitted to the network subscriber database), in response to the configuration data being modified in the mobile device (P.0026; P.0029, lines 1-9). Although Benco doesn't specifically disclose having a comparator for determining a change in configuration data and a transmitter for transmitting the configuration data, it is inherent that these components exist since the method performs these steps.

**Regarding claim 12**, the claim is rejected over the same reasons stated about claim 2, since it recites the same limitations as claim 2. See remarks about claim 2 above.

**Regarding claim 13**, the claim is rejected over the same reasons stated about claim 3, since it recites the same limitations as claim 3. See remarks about claim 3 above.

**Regarding claim 14**, the claim is rejected over the same reasons stated about claim 4, since it recites the same limitations as claim 4. See remarks about claim 4 above.

**Regarding claim 20**, the claim is rejected over the same reasons stated about claim 10, since it recites the same limitations as claim 10. See remarks about claim 10 above.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 5, 6, 15, and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Benco et al.** in view of **Tachibana et al. U.S. Publication No. 2001/0029529 A1**.

**Regarding claim 5**, Benco discloses the method of claim 1, but fails to disclose to further comprise the step of: comparing the configuration data with the respective records of the database. Tachibana discloses a remote maintenance server 30 that obtains and stores configuration information from terminals (abstract). The remote maintenance server may issue an instruction for the terminal to send configuration information when comparing a new configuration information ID with a configuration ID stored in the server aren't the same, the server obtains changed

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configuration information when a configuration of a terminal is changed (P.0045; P.0047; P.0051, lines 1-6). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to compare the configuration data with the records in the database as taught by Tachibana in order to determine if the records in the database need to be updated.

**Regarding claim 6**, the combination of Benco and Tachibana discloses the method of claim 5. Tachibana further comprise the step of: transmitting the configuration data to the server system, if it is determined that the configuration data is different from that stored in the respective records of the databases (P.0055; P.0057; the terminal collects configuration information and sends the configuration information to the server when the configuration information ID stored in the terminal is not the same as the configuration information ID stored in the remote server). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to transmit the configuration data to the server when is different from the stored configuration data as taught by Tachibana in order to update the information when is out of date thus avoiding the unnecessary transmission of configuration data when the configuration data in the terminal and the server are in correspondence.

**Regarding claim 15**, the claim is rejected over the same reasons stated about claim 5, since it recites the same limitations as claim 5. See remarks about claim 5 above.

**Regarding claim 16**, the claim is rejected over the same reasons stated about claim 6, since it recites the same limitations as claim 6. See remarks about claim 6 above.

5. **Claims 7, 8, 17, and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Benco et al.** in view of **Hoshino et al. U.S. Publication No. 2004/0006572 A1**.

**Regarding claims 7 and 8**, Benco discloses the method of claim 1, however fails to further comprising the step of determining if configuration data transmitted to the server is invalid and

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correcting the configuration data, if the configuration data is invalid. Hoshino discloses a method and system for employing and managing storage, which acquire configuration information about storage apparatuses (abstract). The apparatus configuration information is stored in a external storage device, the storage and managing system comprises of a apparatus configuration information acquiring unit that acquires configuration information about apparatuses and judges whether some parameters are valid or not for the configuration information, and if the parameters are invalid executes a processing for correcting the parameters (P.0031 – P.0032; P.0041, lines 1-15). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to determine the validity of the configuration data as taught by Hoshino in order to detect and fix an error in the configuration data and thus only storing authentic configuration data in the database.

**Regarding claims 17 and 18**, the claims are rejected over the same reasons stated about claims 7 and 8, since they recites the same limitations as claims 7 and 8. See remarks about claims 7 and 8 above.

6. **Claims 9 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Benco et al.** in view of **Hoshino et al.**, and further in view of **Beadles et al.** U.S. Publication No. 2003/0037040 A1.

**Regarding claim 9**, the combination of Benco and Hoshino discloses the method of claim 7, however fails to disclose to further comprising the step of: generating an alert, if the configuration data is invalid. Beadles teaches a configuration checker used to validate a new base configuration when a customer modifies a device configuration; the base configuration checker has knowledge of the allowed configuration for each device and parses the configuration data and strips out invalid commands. Then the configuration checker rectifies or reports, i.e. alert, the violations to the user (P.0027). Therefore, it would have been obvious to one having ordinary skill in the art at the time of

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the invention, to generate an alert if configuration data is invalid as taught by Beadles in order to notify the user of the mobile and perform a corrective action to the configuration data.

**Regarding claim 19**, the claim is rejected over the same reasons stated about claim 9, since it recites the same limitations as claim 9. See remarks about claim 9 above.

***Conclusion***

7. Any response to this Office Action should be **faxed to (703) 872-9306 or mailed to:**

**Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have



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questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Marisol Figueroa

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER